

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LINDA LEVINE, on behalf of herself and all
others similarly situated,

Plaintiff,

-v-

MICHAEL ROGER PEARSON SMITH,
CHARLES B. GOODE, IAN J. MACFARLANE,
PETER MARRIOT and
AUSTRALIA AND NEW ZEALAND BANKING
GROUP LIMITED,

Defendants.

Case No.: 08-cv-11278 (DLC)

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 4-1-09

~~PROPOSED~~ CASE MANAGEMENT ORDER

The Court having conducted a pretrial conference on March 27, 2009 to address the motion for appointment of lead plaintiff and lead counsel in the class action brought against Australia and New Zealand Banking Group Limited and others (the "Action"), it is hereby

ORDERED as follows:

I. LEAD PLAINTIFF AND LEAD PLAINTIFF'S COUNSEL

1. Legacy Solutions, Inc. is appointed Lead Plaintiff.
2. Stull, Stull & Brody shall serve as Lead Counsel for all plaintiffs in this Action and the class.

II. CAPTION

3. Every pleading filed in this Action, and in any separate action subsequently included therein, shall bear the following caption:

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE AUSTRALIA AND NEW ZEALAND
BANKING GROUP LIMITED SECURITIES
LITIGATION

08-cv-11278 (DLC)

III. NEWLY FILED OR TRANSFERRED ACTIONS

4. When a class action that relates to the same subject matter as this Action is hereafter filed in or transferred to this Court and assigned to the undersigned, it shall be consolidated with this Action (provided that any case transferred to this Court solely for pretrial proceedings shall be consolidated only to that extent absent further order of this Court), and the Clerk of Court shall:

- a. File a copy of this Order in the separate file for such action.
- b. Mail a copy of the Order of assignment to counsel for plaintiffs and counsel for each defendant in the consolidated actions.

- c. Make an appropriate entry in the Docket.
- d. Mail to the attorneys for the plaintiff(s) in the newly filed or transferred case a copy of this Order.
- e. Upon the first appearance of any new defendant(s), mail to the attorneys for such defendant(s) in such newly filed or transferred case a copy of this Order.

5. The Clerk shall maintain a separate file for each of the consolidated actions and filings shall be made therein in accordance with the regular procedures of the Clerk of this Court except as modified by this order.

6. The Court requests the assistance of counsel in calling to the attention of the Clerk the filing or transfer of any case which might properly be consolidated with this Action.

IV. APPLICATION OF THIS ORDER TO SUBSEQUENT CASES

7. This Order shall apply to each class action assigned to the undersigned alleging claims similar to those set forth in this Action against Australia and New Zealand Banking Group Limited and others.

8. This Order shall apply to each such case which is subsequently filed in or transferred to this Court, and which is assigned to the undersigned unless a party objecting to the consolidation of that case or to any other provision of this Order serves an application for relief from this Order or from any of its provisions within ten (10) days after the date on which the Clerk mails a copy of this Order to counsel for that party.

9. The provisions of this Order shall apply to such action pending the Court's ruling on the application.

10. Unless a plaintiff in a subsequently filed or transferred case is permitted by the Court to use a separate complaint, defendants shall not be required to answer, plead or otherwise move with respect to that complaint in any such case.

11. If a plaintiff in any such case is permitted to use a separate complaint, each defendant shall have thirty (30) days from the date the Court grants such permission within which to answer, plead or otherwise move with respect to any such complaint.

V. SCHEDULE

12. Lead Plaintiff shall file an amended complaint for this Action and any actions subsequently consolidated with it on or before May 21, 2009.

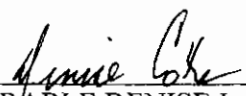
13. Pending filing and service of the amended complaint, defendants shall have no obligation to move, answer, or otherwise respond to any complaints in any actions subsequently consolidated with this Action.

14. Defendants shall file their Motion(s) to Dismiss the amended complaint, if any, on or before July 2, 2009. Lead Plaintiff shall file its Opposition(s) to the Motion(s) to Dismiss on or before July 23, 2009. Defendants shall file their Reply to the Opposition(s) to the Motion(s) to Dismiss on or before August 6, 2009.

15. Defendants shall supply the Court with two courtesy copies of the motion papers at the time the Reply is served.

SO ORDERED.

Dated: April 1, 2009



THE HONORABLE DENISE L. COTE
UNITED STATES DISTRICT JUDGE